

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.25373 OF 2000

ORAL ORDER:

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The petitioner claims to be the owner of Plot No.163, situated in Sy.No.369, Attapur village, Rajendranagar Mandal, having purchased the same under a registered sale deed dated 16.9.1998. It is stated that he has constructed a small house on the plot after obtaining permission from the Rajendranagar Municipality. While so, the 1st respondent- Mandal Revenue Officer, Rajendranagar, threatened to demolish the petitioner's house alleging that the same forms part of the Government land in Sy.No.370. Aggrieved by the said action of the 1st respondent, this writ petition has been filed seeking a direction to the 1st respondent not to demolish the petitioner's house without following due process of law.

In the counter-affidavit filed by the 1st respondent though possession of the petitioner in respect of the plot in question has not been denied, it is stated that as per survey report the plot in question is situated within Sy.No.370 of Sikam Kunta, which is a Government land. However, the fact that no opportunity has been given to the petitioner so far, to contradict the said allegation is not denied.

Since the petitioner states that he has purchased the plot in question under a registered sale deed and the possession and enjoyment of the petitioner is not in dispute, I deem it appropriate to dispose of the writ petition making it clear that no steps shall be taken by the respondents for removal of alleged encroachments or demolition of the structures in question without conducting due enquiry after giving opportunity to the petitioner to put forth his version. No costs.

(G. ROHINI, J.)

1st August, 2007.

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WRIT PETITION No.25373 OF 2000

1st August, 2007.

Between:

B. Rajeswara Rao.

.. Petitioner.

And

Mandal Revenue Officer,
Rajendranagar Mandal,
R.R. District and others.

.. Respondents.